

REMARKS

Claims 29, 30 and 32 are presented for consideration, with Claims 29 and 32 being independent.

Claims 29 and 32 have been amended to further distinguish Applicants' invention from the cited art. Claim 31 has been cancelled.

Initially, the specification was objected to for failing to provide proper antecedent basis for the "synthesizing unit" set forth in Claim 29. In response to this objection, the specification has been amended on page 8 to more clearly identify the claimed synthesizing unit as the image data selector 32. Accordingly, reconsideration and withdrawal of the objection is respectfully requested.

Claims 29-32 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Hamilton '874. In addition, Claims 29-31 stand rejected under 35 U.S.C. § 103 as allegedly being obvious over Hamilton in view of Toffolo '247. These rejections are respectfully traversed.

Claim 29 of Applicants' invention relates to an image processing apparatus comprised of an input unit for inputting video image data, an icon image generation unit for generating icon image data, a synthesizing unit for synthesizing the video image data and the icon image data, and a display control unit for displaying video and icon images based on the synthesized video and icon image data on a monitor. As amended, a control unit controls the synthesizing unit so as to change a display position of the icon image to a different position from a previous display position, while holding a display position of the video image, at each time when displaying of the icon image starts according to an operation by an operator, and so as not to change the display position of the icon image as the displaying of the icon image continues.

Support for the claim amendments can be found, for example, in the second embodiment disclosed beginning on page 19, line 5, of the specification, and more particularly on page 22, line 18 through page 23, line 4. In accordance with Claim 29 of Applicants' invention, a high performance image processing apparatus can be provided.

The primary citation to Hamilton relates to a method for reducing phosphor burning of a CRT monitor screen by periodically changing the location of textual information overlaid onto a video image. The Office Action asserts that Hamilton controls a display position of an icon image to change at each time of starting of the displaying of the icon image, and to not change until an end of the displaying of the icon image.

The secondary citation to Toffolo relates to a display system and is said to include a control unit.

It is respectfully submitted, however, that the Hamilton patent, whether taken alone or in combination with Toffolo, fails to teach or suggest Applicants' invention as set forth in Claim 29. In Hamilton, the display position of an image can be changed based on a "regular or irregular" schedule (paragraph [0029]). Hamilton does not, however, change a display position of the icon image while holding the display position of the video image, at each time when displaying of the icon image starts according to an operation by an operator, and so as not to change the display position of the icon image as the displaying of the icon image continues, among other features. These deficiencies in Hamilton are not remedied by Toffolo.

Claim 32 relates to an image processing method and corresponds to Claim 29. In Claim 32, therefore, positions of the video and icon images are controlled so as to change the display position of the icon image to a different position from a previous display position, while holding the display position of the video image, at each time when displaying of the icon image

starts according to an operation by an operator, and so as not to change the display position of the icon image as the displaying of the icon image continues.

Accordingly, reconsideration and withdrawal of the rejections of the claims under 35 U.S.C. §102 and §103 are deemed to be in order and such action is respectfully requested.

Thus, it is submitted that Applicants' invention as set forth in independent Claims 29 and 32 is patentable over the cited art. In addition, dependent Claim 30 sets forth additional features of Applicants' invention. Independent consideration of the dependent claim is respectfully requested.

In view of the foregoing, reconsideration and allowance of this application is deemed to be in order and such action is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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